IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 1590 (S/S) of 2007

Smt. Savitri Rawat,
Aged About 55 years,
W/o Sri Daulat Singh Rawat,
R/o Aekta Vihar Lane No. 1,
Opposite Mayur Vihar,
Sahastradhara Road,
Post Office- Kandoli,
Dehradun,
District- Dehradun. **……Petitioner.**

Versus

1. State of Uttarakhand through its Secretary, School Education, Dehradun.
2. Director, School Education, State of Uttarakhand, Dehradun.
3. Additional District Education Officer (Basic), Dehradun.
4. District Basic Education Officer, Dehradun.

…….Respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Rajendra Dobhal, learned counsel for the petitioner and Sri N.P. Shah, learned Standing Counsel for State of Uttarakhand.

By means of this writ petition, the petitioner has prayed to issue a writ of Certiorari quashing the impugned order dated 22.06.2007 and order dated 26.09.2007 passed by Additional District Education Officer (Basic), Dehradun.

Brief facts of the case as narrated in the writ petition are that petitioner, who is working as Assistant Teacher, in Primary School, Mehuwala Mafi, Raipur, Dehradun has been transferred to Primary School, Rethwangaon, Raipur, Dehradun vide order dated 22.06.2007. Earlier, petitioner has

challenged the same transfer order dated 22.06.2007 by filing writ petition no. 876 (SS) of 2007.On 13.07.2007, this Court after considering the facts and circumstances of the case directed the District Basic Education Officer, Dehradun to decide the representation of the petitioner. In compliance of the Court's order, Additional District Education Officer (Basic), Dehradun rejected the representation of the petitioner.

Aggrieved with the rejection order petitioner has filed present writ petition, challenging the rejection order dated 26.09.2007 and transfer order dated 22.06.2007 once again.

Learned counsel for the petitioner has submitted that petitioner's husband met with an accident and in this accident leg of his husband got fractured and now, it is very difficult for her to take her husband to the transferred place.

In these circumstances, I deem it fit and proper to direct the petitioner to approach the competent authority for redressal of her grievances and it is expected from the Authority concerned that he will consider the grievance of the petitioner by keeping the transfer order (so far as petitioner is concerned) and rejection order in abeyance till the end of the Session, in case, petitioner submits undertaking before the Authority concerned that she will join at the new place of posting by 15th June, 2008.

With this direction, writ petition as well as all the pending applications are finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

November 15, 2007
SKS